

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA

RANDY A. WATTERSON,)	
)	
Plaintiff,)	
)	
v.)	
)	
PETER BULCHOLTZ, WARDEN)	1:25-cv-194
MICHAEL HARDY, JOHN BAYLESS,)	
DEAN LOCKLEAR, TAMARA RUSH,)	
CODY PETRELLI, FNU - CHAVIS,)	
LENWOOD GRAHAM, FNU - OJENI,)	
and NORTH CAROLINA DEPARTMENT)	
OF ADULT CORRECTION,)	
)	
Defendants.)	

ORDER

This matter is before the court for review of the Order and Recommendation ("Recommendation") filed on March 25, 2025, by the United States Magistrate Judge in accordance with 28 U.S.C. § 636(b). (Doc. 2.) In the Recommendation, the Magistrate Judge recommends that Plaintiff's Complaint, (Doc. 1), should be dismissed without prejudice to Plaintiff filing a new complaint on the proper § 1983 forms. The Recommendation was served on Plaintiff on March 25, 2025. (Doc. 3). Plaintiff filed timely a pleading, "Motion for Copy of Original Verified Complaint or in the Alternative, Objections to Magistrates Order and Recommendation," (Doc. 4), construed as Plaintiff's objections to the Recommendation.

This court is required to "make a de novo determination of those portions of the [Magistrate Judge's] report or specified proposed findings or recommendations to which objection is made." 28 U.S.C. § 636(b)(1). This court "may accept, reject, or modify, in whole or in part, the findings or recommendations made by the [M]agistrate [J]udge. . . . [O]r recommit the matter to the [M]agistrate [J]udge with instructions." Id.

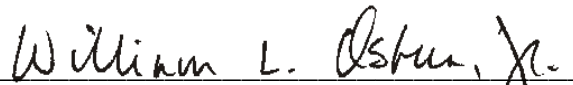
This court has appropriately reviewed the portions of the Recommendation to which objections were made and has made a de novo determination which is in accord with the Magistrate Judge's Recommendation. This court therefore adopts the Recommendation.

IT IS THEREFORE ORDERED that the Magistrate Judge's Recommendation, (Doc. 2), is **ADOPTED. IT IS FURTHER ORDERED** that this action is **DISMISSED WITHOUT PREJUDICE** to Plaintiff filing a new complaint, on the proper § 1983 forms and in the correct districts, which corrects the defects cited in the Recommendation.

IT IS FURTHER ORDERED that Plaintiff's Motion for Copy of Original Verified Complaint, (Doc. 4), is **GRANTED IN PART** to the extent that the Clerk is directed to send Plaintiff a copy of his Complaint and attachments, (Doc. 1), together with this Order. The motion is otherwise **DENIED**.

A Judgment dismissing this action will be entered contemporaneously with this Order.

This the 17th day of April, 2025.


United States District Judge